

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,

Plaintiff,

v.

MASIMO CORPORATION and
SOUND UNITED, LLC,

Defendants.

C.A. No. 22-1377-MN-JLH

MASIMO CORPORATION,

Counter-Claimant,

v.

APPLE INC.

Counter-Defendant.

APPLE INC.,

Plaintiff,

v.

MASIMO CORPORATION and
SOUND UNITED, LLC,

Defendants.

C.A. No. 22-1378-MN-JLH

MASIMO CORPORATION and
CERCACOR LABORATORIES, INC.,

Counter-Claimants,

v.

APPLE INC.

Counter-Defendant.

**JOINT MOTION FOR TELECONFERENCE TO
RESOLVE DISCOVERY DISPUTES**

Pursuant to Paragraph 8(g) of the Scheduling Order (D.I. 103, C.A. No. 22-1377; D.I. 92, C.A. No. 22-1378), Plaintiff Apple Inc., and Defendant Masimo Corporation, Defendant Sound United, LLC, Counterclaimant Cercacor Laboratories, Inc., respectfully move to schedule a teleconference to address outstanding disputes regarding the following discovery issues:

- Whether the Court should enter a protective order precluding a deposition of Apple's Chief IP Counsel Jeffrey Myers.

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in a verbal meet-and-confer by telephone on the following date: November 3, 2023.

Delaware Counsel:

For Masimo: Megan C. Haney

For Apple: David E. Moore and Bindu A. Palapura

Lead Counsel:

For Masimo: Douglas Wentzel

For Apple: Ben Luehrs

The parties are available for a teleconference on the following dates: November 9, 13, and 14.

Dated: November 3, 2023

POTTER ANDERSON & CORROON LLP

PHILLIPS MCLAUGHLIN & HALL, P.A.

/s/ David E. Moore

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